

Notice of Allowability

Application No.

09/819,772

Examiner

Greg F. Cunningham

Applicant(s)

PETROV ET AL.

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 6/26/2006.
2. ☒ The allowed claim(s) is/are 2-10, 55-63 and 114-117.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This action is responsive to amendment filed //2005.
2. The disposition of the claims is as follows: claims 2-10, 55-63 and 114-117 are pending in the application. Claims 5, 58 and 115-117 are independent claims. Claims 1, 11-54 and 64-113 have been cancelled.

Claim Rejections - 35 USC § 112

3. In view of the amended claims, 112 rejections are withdrawn.

Claim Rejections - 35 USC § 102 and 103

4. In view of amended and cancelled claims and review of cited references and remarks, 102 and 103 rejections are withdrawn.

Allowable Subject Matter

5. Claims 2-10, 55-63 and 114-117 are allowed.
6. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claim 1 stands novel over the related prior art. For instance, while the related art of AutoCAD, Release 13 for Windows, hereinafter AutoCAD.

AutoCAD does make use of the redo and undo commands of previous executed commands and uses a macro prepared in a spreadsheet in order to generate a new portion of an AutoCAD model (a section of stairs in the specific example described) not to restore a previous

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version or state of the model. Rather than restoring previous versions of a model, the AutoCAD reference describes how to use "spreadsheet macro language".

Whereas independent claims 5 provides for "retrieving a stored copy of an earlier state of the three dimensional mesh model on the computer system; retrieving an ordered list of operations on the computer system; and performing at least some of the operations in the ordered list of operations on the retrieved copy of the three dimensional mesh model; wherein the ordered list of operations contains the operations which if performed in order on the earlier state of the three dimensional mesh model would result in a current state of the three dimensional mesh model" as claimed in claim 5. While independent claim 58 provides "retrieving a stored copy of an earlier state of the three dimensional mesh model; retrieving an ordered list of operations; and performing at least some of the operations in the ordered list of operations on the retrieved copy of the three dimensional mesh model; wherein the ordered list of operations contains the operations which if performed in order on the earlier state of the three dimensional mesh model would result in a current state of the three dimensional mesh model"

As for claims 115 to 117, they recite, among other things, "reapplying at least some of the operations stored in the ordered list to the stored first state of the three dimensional mesh model" In contrast, the AutoCAD reference describes a method of using a macro prepared in a spreadsheet in order to generate a new portion of an AutoCAD model (a section of stairs in the specific example described) by using "spreadsheet macro language" to "send commands to AutoCAD to do your bidding."

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Wherein AutoCAD lacks disclosure of "reapplying at least some of the operations stored in the ordered list to the stored first state of the three dimensional mesh model" but rather describes performing entirely new operations on the mesh model.

Therefore as claimed by the combined elements of amended independent claims 5, 58 and 115-117, the cited references and prior art of record lack separately and in combination the elements of amended claims.

Claims 6-10, 59-63, 2-4, 55-57 and 114 depend from allowable independent claims 5, 58, and 115-117, respectively, and therefore are also allowed.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Responses

8. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Inquiries

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Cunningham

Examiner

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9/18/2006



KEE M. TUNG
SUPERVISORY PATENT EXAMINER